

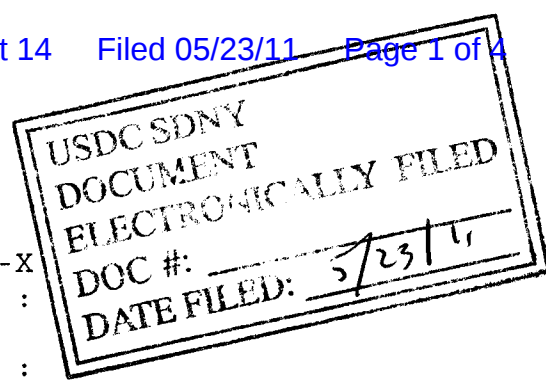
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- v. -

CHARLES INDIVIGLIO,
a/k/a "Frank Indiviglia,"
a/k/a "MaryAnn Indiviglia,"

Defendant.



INFORMATION

11 CRIM 447

COUNT ONE

The United States Attorney charges:

1. From at least in or about November 2009, up to and including in or about May, 2010, in the Southern District of New York and elsewhere, CHARLES INDIVIGLIO, a/k/a "Frank Indiviglia," a/k/a "MaryAnn Indiviglia," the defendant, unlawfully, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carrier, and did take and did receive therefrom such matters and things, and did cause to be delivered by mail and such carrier, according to the direction

thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, to wit, for the purpose of executing a scheme to defraud restaurants, INDIVIGLIO sent mailings to such restaurants requesting reimbursement for dry cleaning expenses he falsely claimed to have incurred due to incidents at those restaurants.

(Title 18, United States Code, Sections 1341.)

FORFEITURE ALLEGATIONS

2. As the result of committing the mail fraud offense in violation of Title 18, United States Code, Section 1341 alleged in Count One of this Indictment, CHARLES INDIVIGLIO, a/k/a "Frank Indiviglia," a/k/a "MaryAnn Indiviglia," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived, directly and indirectly, from gross proceeds traceable to the commission of the offense.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.

§ 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853; Title 28, United States Code, Section 2461.)



PREET BHARARA
United States Attorney

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INFORMATION

11 Cr.

(18 U.S.C. § 1341)

PREET BHARARA

United States Attorney.

5/23/11

Waiver + information filed. - 30 mins
Def't arraigned on information.
Def't pres w/atty. Cesar de Castro; AUSA Jonathan Cohen
pres., Court Reporter Rebecca Forman pres. Def't enters
a plea of guilty to information. PSI ordered; Sentencing
set for 8/19/11 @ 11:30 a.m. Def't cont'd on bail.
Hellerstein, J